

REMARKS

Claims 2 through 26 remain in this application. Claim 1 has been canceled.

Claim Rejections under 35 U.S.C. 112

The Office Action rejected claim 1 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention due to antecedent basis issues. However, claim 1 has been canceled above.

Claim Rejections under 35 U.S.C. 102(e)

The Office Action rejected claim 1 under 35 U.S.C. 102(e) as being anticipated by US Patent No. 6785272 to Sugihara (the Sugihara reference). Claim 1 has been canceled above. The new claims are patentable over the Sugihara reference. With respect to claim 2, the Sugihara fails to disclose, “assigning a unique identifier to each of a plurality of stack switches, the identifiers specifying a management hierarchy of the respective switches; assigning one or more stack management functions to a first stack switch of the plurality of stack switches, the first stack switch being the first in the management hierarchy of the plurality of stack switches; and if the first stack switch is unable to execute the one or more stack management functions, automatically assigning said one or more management functions to a second stack switch of the plurality of stack switches, the second stack switch being the second in the management hierarchy of the plurality of stack switches.” With respect to claim 12, the Sugihara reference fails to disclose, “a plurality of ports comprising at least one stack port operatively coupling the stack switch to the plurality of stack switches; and a communication management module associated with a unique identifier specifying a management hierarchy of the stack switch with respect to the plurality of stack switches; wherein the communication management module is adapted to perform one or more stack switch management functions in response to the stack switch becoming first in the management hierarchy of the plurality of stack switches.” With respect to claim 21, the Sugihara reference fails to disclose, “three or more stack switches, each

stack switch having a configuration management module (CMM), wherein each stack switch is associated with a stack switch identifier indicating the management hierarchy of the respective stack switch with respect to the three or more stack switches; wherein the CMM of each of the three or more stack switches is adapted, if first in the management hierarchy of the three or more of stack switches, to: solicit configuration information updates from each of the other three or more stack switch, and transmit said configuration information from each of the other three or more stack switch to each of the other three or more stack switches; wherein each of the three or more stack switches is adapted to be first in the management hierarchy if there none of the three or more stack switches is higher in the management hierarchy is operational.” With respect to claim 23, the Sugihara reference fails to disclose, “a full duplex ring; and a plurality of stack switches operatively linked via the duplex ring, each stack switch comprising: a plurality of local ports for receiving ingress protocol data units (PDUs) and transmitting egress PDUs, and one or more tables for provisioning quality of service (QoS) for the ingress PDUs transmitted, via the duplex ring, from the local ports of each of the plurality of stack switches to the local ports of every other stack switch of the plurality of stack switches.”

CONCLUSION

For the above reasons, the foregoing amendment places the Application in condition for allowance. Therefore, it is respectfully requested that the rejection of the claims be withdrawn and full allowance granted. Should the Examiner have any further comments or suggestions, please contact Jessica Smith at (972) 240-5324.

Respectfully submitted,
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Dated: October 17, 2007

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